

CAW HEALTH, SAFETY AND ENVIRONMENT NEWSLETTER

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...REACH For Chemical Safety

Every year, more than 60,000 people in the United States die from preventable diseases caused by exposure to chemicals and other agents in the workplace.... Together, workplace illnesses and injuries are estimated to cost more than \$145 billion annually in the United States, on par with the cost of all cancers combined or the total cost of heart disease and stroke.

This sounds like something that our compassionate government would want to do something about, doesn't it? [Well, the European Union is about to address this problem through its REACH program](#), an *shocking* idea that tosses out the notion, promoted by the chemical industry, that chemicals should be considered innocent until proven guilty.

REACH stands for Registration, Evaluation and Authorization of Chemicals, and is intended to address both workplace exposures and environmental pollution in the European Union. Under REACH, chemical manufacturers and importers would be required to gather and report the quantity, uses and potential health effects of approximately 30,000 chemicals. About 1,400 of these chemicals are known or suspected to be carcinogens, reproductive toxicants, persist in the environment or to accumulate in body tissues. The initiative would subject these 1,400 chemicals to an authorization review similar to that used in the regulation of pharmaceuticals.

Approval of any use that could result in human exposures would be predicated on a thorough assessment of safety considerations and alternative products. I have written before about the "precautionary principle" and the fits it is causing among U.S. chemical manufacturers [here](#) and [here](#), which also link to some excellent articles in the *American Prospect*.

REACH is based on a 2001 European Commission "White Paper on a Future Chemicals Strategy," outlining the Commission's intentions for a fundamentally new integrated chemicals policy. The specific objectives include:

- [Making industry responsible for generating knowledge on chemicals, evaluating risk, and maintaining safety—a duty of care;](#)
- [Extending responsibility for testing and](#)

management along the entire manufacturing chain;

- Substitution of substances of very high concern and innovation in safer chemicals; and
- Minimization of animal testing.

EU officials are currently touring the United States, traveling to Washington D.C., San Francisco, Chicago and Boston where they will be meeting with U.S. government officials, environmentalists, academics, union staff and workers to explain the initiative. The tour is being sponsored by the [University of Massachusetts at Lowell's Center for Sustainable Production](#) which you should check out for much more information. (p. 11)

The tour comes only days before the European Commission is expected to issue its proposal for debate by the European Parliament and Council over the next year. As might be expected, these developments are generating a considerable amount of concern among American chemical companies and other businesses. And they're not taking it lying down.

A report issued recently by the [Environmental Health Fund](#) revealed a major campaign on the part of the Bush Administration and the U.S. chemical industry to weaken the European program: "As these documents show, the US government essentially operated as a branch office of the US chemical industry." And for the usual reasons: it would cost too much money, put jobs at risk and it would restrict trade by banning certain chemicals. The American attitude was put most succinctly last year, as I've reported before, by the U.S. ambassador to the European Union, Rockwell Schnabel who complained in a Wall Street Journal Europe op-ed that European regulators did not take enough business input into their decisions and that they were concentrating too much on environment and health at the expense of growth and trade.

Schnabel has also [warned the Europeans](#) that The EU has a right and a duty to protect its citizens, but must do so in a way to avoid excessive or inappropriate regulations which increase the cost of producing goods and services and place jobs at risk. **Organizations like the National Foreign Trade Council (NFTC), representing over 300 large companies, have joined in. The NFTC calls REACH "a growing attempt to limit trade through the use of technical barriers:" The EU is intent upon protecting the public from all potential risks associated with industrial and technological advancement. Suspect activities include not only those conducted by longstanding industries applying advanced technologies (e.g., chemicals, autos, aeronautics, electronic and electrical equipment, cosmetics and all related downstream industries), but also those engaged in by newer industries themselves defined by the cutting-edge technologies they employ (e.g., biotechnology, nanotechnology, biocides, etc.)...What is apparent is that the EU has once again created a 'strawman' of hazard for the purpose of protecting the public against an unidentifiable and immeasurable harm to humans or the environment that has not yet materialized.**

Well, I don't know about a "strawman," but addressing harm "that has not yet materialized" is what the "precautionary principle" is all about. Some industry representatives have even called REACH a national security threat to the United States because foreign governments will have control over the chemicals U.S. companies can sell, without our input.

Of course what American companies may really be worried about is not what those crazy Europeans do over there, but that their ideas may spread over here... (p. 12)